

Remarks

Claims 1-20 are pending. Claims 1-20 have been canceled by this amendment. New claims 21-35 have been added by this amendment.

Claims 1-20 were rejected under 35 U.S.C. 102(e) as being anticipated by Nicol (US Patent No. 6,882,711).

Claims 1-20 were rejected under 35 USC 102(e) as being anticipated by Fayad et al. (US Patent No. 6,757,250).

The subject matter of the new claims is supported in several places in the specification, among them pages 8-10. The new claims clarify that the negotiation of the data rate on one rate is used to negotiate the data rate on the other leg, such that only one renegotiation is necessary.

As discussed in the office action, and disclosed in both Nicol and Fayad, both ends must renegotiate their parameters upon communicating with the other side. See Nicol at col. 33, lines 11-24, and Fayad, col. 7, line 66 through col. 8, line 22. As claimed in claim 21, in the invention of the instant application, one end waits for the other end to negotiate, uses the results of that negotiation to negotiate and end-to-end compression, and then the first end renegotiates as necessary. One end, the one that waited for the initial results only negotiates once. This eliminates some overhead time in setting up the call.

As neither of the previously cited references show, teach or suggest the invention as claimed, it is submitted that newly added claims 21-34 are patentably distinguishable over the prior art and allowance of all claims is requested.

No new matter has been added by this amendment. Allowance of all claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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